IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

WP(C).No. 23131 of 2004(D)

PETITIONER:

V.P.FAKRUDHEEN, AGED 41 YEARS,
S/O.LATE PAREEKUTTY, VALYATHARA HOUSE,
CHANDIROOR, AROOR

BY ADV. SRI.VARGHESE C.KURIAKOSE

RESPONDENTS:

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1. STATE OF KERALA, REP. CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE,
ALAPPUZHA.

3. THE EXECUTIVE ENGINEER, ELECTRICAL
DIVISION, CHERTHALA.

4. DEPUTY TAHSILDAR, REVENUE RECOVERY,
CHERTHALA,.

***5. V.J. FRANCIS, AGED 40,**
S/O. JOSEPH, VALLAVANTHARA HOUSE,
CHANDIROOR, ALAPPUZHA DIST.

***ADDL.R 5 IS IMPLEADED AS PER ORDER**
IN IA NO. 11245/2004.

BY ADV. SRI. C.K. KARUNAKARAN, SC, KSEB
GOVERNMENT PLEADER SMT. K.R.DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23131/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE DEED OF DISSOLUTION DT. 23/5/97.

EXT.P2. COPY OF THE ACKNOWLEDGEMENT DT. 13/10/97.

EXT.P3. COPY OF THE DISSOLUTION STATEMENT IN FORM NO. V DT. 13/10/97.

EXT.P4. COPY OF THE DEMAND NOTICE DT. 5/7/04.

EXT.P5. COPY OF THE DEMAND NOTICE DT. 5/7/2004.

EXT.P6. COPY OF THE APPEAL WITH INTERIM APPLICATION DT. 31/07/2004.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.23131 of 2004

Dated 4th July, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding the recovery steps initiated against the petitioner. According to the petitioner, the actual defaulter is one V.J.Francis. This Court, by order dated 5.8.2004 granted liberty to the Board to proceed against the actual defaulter. The writ petition is hence disposed of making it clear that only after exhausting the remedies against the actual defaulter, the petitioner shall be proceeded against.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 4th July, 2007.